IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DR. ORIEN L. TULP,)
Plaintiff,) Case No. 2:18-cv-05540-WB
v.) Hon. Wendy Beetlestone
EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL GRADUATES and DR. WILLIAM W. PINSKY,)))
Defendants.))

DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT

For the reasons set forth in the attached memorandum of law, Defendants Educational Commission for Foreign Medical Graduates ("ECFMG") and Dr. William W. Pinsky, by and through their undersigned counsel, move to dismiss Plaintiff's Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state any claim against ECFMG or Dr. Pinsky.

Dated: January 22, 2019 Respectfully submitted,

/s/ Elisa P. McEnroe

Elisa P. McEnroe, PA Bar No. 206143 Matthew D. Klayman, PA Bar No. 319105 MORGAN, LEWIS & BOCKIUS, LLP

1701 Market Street

Philadelphia, PA 19103-2921

Telephone: +1.215.963.5917 Facsimile: +1.215.963.5001 elisa.mcenroe@morganlewis.com matthew.klayman@morganlewis.com

Attorneys for the Educational Commission for Foreign Medical Graduates and Dr. William W. Pinsky

CERTIFICATE OF SERVICE

I do hereby certify that on this date, I caused true and correct copies of the foregoing document to be served via electronic filing upon the following counsel of record via the ECF system and/or U.S. mail:

> TOMMY SWATE 403 WILD PLUM HOUSTON, TX 77013

WILLIAM C. REIL 1515 MARKET ST SUITE 1200 PHILADELPHIA, PA 19102 215-564-1635

Fax: 215-564-4292

Email: billreillaw@gmail.com

Attorneys for Plaintiff

DATED: January 22, 2019 /s/ Elisa P. McEnroe

Elisa P. McEnroe